

Substitute Bill No. 850

*SB00850TRA032017	, _
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AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING INSURANCE POLICIES FOR CERTAIN VEHICLES, YOUTH INSTRUCTION PERMITS, OPERATOR LICENSES, COMMERCIAL MOTOR VEHICLE OPERATION, ADMINISTRATIVE FEES, DIVERSION PROGRAM, STUDENT TRANSPORTATION VEHICLES AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- Section 1. Section 14-29 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2017*):
- 3 (a) The commissioner shall not register any motor bus, taxicab, 4 school bus, motor vehicle in livery service, student transportation 5 vehicle or service bus and no person may operate or cause to be 6 operated upon any public highway any such motor vehicle until the 7 owner or lessee thereof has procured insurance or a bond satisfactory 8 to the commissioner, which insurance or bond shall indemnify the insured against any legal liability for personal injury, the death of any 10 person or property damage, which injury, death or damage may result 11 from or have been caused by the use or operation of such motor 12 vehicle described in the contract of insurance or such bond. Such 13 insurance or bond shall not be required from (1) a municipality which 14 commissioner finds has maintained sufficient financial 15 responsibility to meet legal liability for personal injury, death or

damage resulting from or caused by the use or operation of a service bus owned or operated by such municipality, or (2) the owner or lessee of such class of motor vehicle who holds a certificate of public necessity and convenience from the Department of Transportation if such owner or lessee has procured from the department a certificate that the department has found that such owner or lessee is of sufficient financial responsibility to meet legal liability for personal injury, death or property damage resulting from or caused by the use or operation of such motor vehicle. The Department of Transportation may issue such certificate upon presentation of evidence of financial responsibility that is satisfactory to it.

(b) (1) The amount of insurance or of such bond which each such vehicle owner or lessee shall carry as insurance or indemnity against claims for personal injury or death shall be not less than (A) fifty thousand dollars for one person subject to that limit per person; (B) for all persons in any one accident where the carrying capacity is seven passengers or less, one hundred thousand dollars; (C) eight to twelve passengers, inclusive, one hundred fifty thousand dollars; (D) thirteen to twenty passengers, inclusive, two hundred thousand dollars; (E) twenty-one to thirty passengers, inclusive, two hundred fifty thousand dollars; and (F) thirty-one passengers or more, three hundred thousand dollars; and such policy or such bond shall indemnify the insured against legal liability resulting from damage to the property of passengers or of others to the amount of ten thousand dollars.

(2) In lieu of the foregoing, a single limit of liability shall be allowed as insurance or indemnity against claims for personal injury or death and legal liability resulting from damage to the property of passengers or of others for any one accident (A) where the carrying capacity is seven passengers or less, not less than one hundred thousand dollars; (B) eight to twelve passengers, inclusive, not less than one hundred fifty thousand dollars; (C) thirteen to twenty passengers, inclusive, not less than two hundred thousand dollars; (D) twenty-one to thirty passengers, inclusive, not less than two hundred fifty thousand

dollars; and (E) thirty-one passengers or more, not less than three hundred thousand dollars. The provisions of this subsection shall not apply to (i) a municipality which the commissioner has found to have sufficient financial responsibility to meet legal liability for damages as provided in subsection (a) of this section or (ii) the owner or lessees of any such motor vehicle holding a certificate of public convenience and necessity issued by the Department of Transportation whom the department has found to be of sufficient financial responsibility to meet legal liability for damages as provided in subsection (a).

- (c) (1) Any person or company issuing any such insurance or indemnity bond shall file with the Commissioner of Motor Vehicles a certificate in such form as [he] the commissioner prescribes, and no such insurance or bond shall lapse, expire or be cancelled while the registration is in force until the commissioner has been given at least ten days' written notice of an intention to cancel and until [he] the commissioner has accepted other insurance or another indemnity bond and has notified the person or company seeking to cancel such insurance or bond that such other insurance or bond has been accepted or until the registration of such motor vehicle described in such insurance policy or bond has been suspended or cancelled.
- (2) No person or company issuing any such insurance or indemnity bond shall issue an insurance policy or indemnity bond for a motor vehicle specified in subsection (a) of this section for limits less than those specified in subsection (b) or (f) of this section. Upon initial registration or renewal of any such motor vehicle, the commissioner may presume that an insurance policy or indemnity bond meets the minimum amounts specified in said subsection (b) or (f) for such vehicle.
- (d) Any person injured in person or property by any such motor vehicle may apply to the commissioner for the name and description of the insurer of the vehicle causing such injury or the name of the surety upon any indemnity bond of any such owner or the name of the holder of a certificate of financial responsibility.

(e) Any person who violates any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

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- (f) Notwithstanding the provisions of this section, any person, association or corporation operating a motor vehicle in livery service under the provisions of sections 13b-101 to 13b-109, inclusive, shall carry insurance or indemnity against claims for personal injury or death and legal liability resulting from damage to the property of passengers or of others for any one accident in an amount not less than one million five hundred thousand dollars for vehicles with a seating capacity of fourteen passengers or less and five million dollars for vehicles with a seating capacity of fifteen passengers or more.
- Sec. 2. Subsection (c) of section 14-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (c) (1) A person who is sixteen or seventeen years of age and who has not had a motor vehicle operator's license or right to operate a motor vehicle in this state suspended or revoked may apply to the Commissioner of Motor Vehicles for a youth instruction permit. The commissioner may issue a youth instruction permit to an applicant after the applicant has passed a vision screening and test as to knowledge of the laws concerning motor vehicles and the rules of the road, has paid the fee required by subsection (v) of section 14-49 and has filed a certificate, in such form as the commissioner prescribes, requesting or consenting to the issuance of the youth instruction permit and the motor vehicle operator's license, signed by (A) one or both parents or foster parents of the applicant, as the commissioner requires, (B) the legal guardian of the applicant, (C) the applicant's spouse, if the spouse is eighteen years of age or older, or (D) if the applicant has no qualified spouse and such applicant's parent or foster parent or legal guardian is deceased, incapable, domiciled [without the] outside of this state or otherwise unavailable or unable to sign or file the certificate, the applicant's stepparent, grandparent, or uncle or

115 aunt by blood or marriage, provided such person is eighteen years of 116 age or older. The commissioner may, for the more efficient 117 administration of the commissioner's duties, appoint any drivers' 118 school licensed in accordance with the provisions of section 14-69 or 119 any secondary school providing instruction in motor vehicle operation 120 and highway safety in accordance with section 14-36e, as amended by 121 this act, to issue a youth instruction permit, subject to such standards 122 and requirements as the commissioner may prescribe in regulations 123 adopted in accordance with chapter 54. Each youth instruction permit 124 shall expire two years from the date of issuance [,] or on the date the 125 holder of the permit is issued a motor vehicle operator's license, [or on 126 the date the holder attains the age of eighteen years,] whichever is 127 earlier. Any holder of a youth instruction permit who attains eighteen 128 years of age may retain such permit until the expiration of such permit. 129 (2) The youth instruction permit shall entitle the holder, while such 130 holder has the permit in his or her immediate possession, to operate a 131 motor vehicle on the public highways, provided such holder is under 132 the instruction of, and accompanied by, a person who holds an 133 instructor's license issued under the provisions of section 14-73 or a 134 person twenty years of age or older who has been licensed to operate, 135 for at least four years preceding the instruction, a motor vehicle of the 136 same class as the motor vehicle being operated and who has not had 137 his or her motor vehicle operator's license suspended by the 138 commissioner during the four-year period preceding the instruction. 139 (3) Unless the holder of the permit is under the instruction of and 140 accompanied by a person who holds an instructor's license issued 141 under the provisions of section 14-73, no passenger in addition to the 142 person providing instruction shall be transported unless such 143 passenger is a parent or legal guardian of the holder of the permit. (4) 144 The holder of a youth instruction permit who (A) is an active member 145 of a certified ambulance service, as defined in section 19a-175, (B) has 146 commenced an emergency vehicle operator's course that conforms to 147 the national standard curriculum developed by the United States Department of Transportation, and (C) has had state and national 148 149 criminal history records checks conducted by the certified ambulance

- service or by the municipality in which such ambulance service is provided, shall be exempt from the provisions of subdivisions (2) and (3) of this subsection only when such holder is en route to or from the location of the ambulance for purposes of responding to an emergency
- call. (5) The commissioner may revoke any youth instruction permit
- used in violation of the limitations imposed by subdivision (2) or (3) of
- this subsection.
- Sec. 3. Subsection (h) of section 14-36a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 160 (h) The revocation, suspension or withdrawal of, or refusal to issue or renew an "S" endorsement, or any endorsement described in 161 162 subsection (c) of this section, shall prohibit the licensee from operating 163 any public [service] passenger vehicle for which [a public passenger 164 endorsement] an endorsement described in said subsection (c) is 165 required. [under this section.] During the period of such revocation, 166 suspension or withdrawal of, or after a refusal to issue or renew an "S" 167 endorsement, or any endorsement described in said subsection (c), [of 168 this section,] the commissioner shall not issue any other public 169 passenger endorsement to such licensee.
- Sec. 4. Section 14-36e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- [(a) The Department of Motor Vehicles shall prepare for use in all high and other secondary schools a course of study of motor vehicle operation and highway safety.]
 - [(b)] Each local and regional board of education may provide a course of instruction in motor vehicle operation and highway safety on a secondary school level, which course (1) shall consist of not less than thirty clock hours of classroom instruction offered during or after school hours as said board of education, in its discretion, may provide, including instruction of not less than fifteen minutes concerning the

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- 181 responsibilities of an operator of a motor vehicle under subsection (b) 182 of section 14-223 and the penalty for a violation of the provisions of 183 said subsection (b), and (2) may include behind-the-wheel instruction 184 of up to twenty clock hours. Said course shall be open to enrollment by 185 any person between the ages of sixteen and eighteen, inclusive, who is 186 a resident of the town or school district or whose parent, parents or 187 legal guardian owns property taxable in such town or school district. 188 Any such board of education may contract for such behind-the-wheel 189 instruction with a licensed drivers' school.
- Sec. 5. Subsection (b) of section 14-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2017):
 - (b) An original operator's license shall expire within a period not exceeding six years following the date of the operator's next birthday. The fee for such license shall be seventy-two dollars. The commissioner may authorize a contractor, including, but not limited to, an automobile club or association, licensed in accordance with the provisions of section 14-67 on or before July 1, 2007, or any [office or department of a] municipality, to issue duplicate licenses and identity cards pursuant to section 14-50a, renew licenses, renew identity cards issued pursuant to section 1-1h and conduct registration transactions at [its office facilities] the office or facilities of such contractors or municipalities. The commissioner may authorize such contractors and municipalities to charge a convenience fee, which shall not exceed five dollars, to each applicant for a license or identity card renewal or duplication, or for a registration transaction.
- Sec. 6. Section 14-41b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):
- A Connecticut motor vehicle operator's license held by any person on active duty with the armed forces and absent from this state due to such service shall be valid for [thirty] <u>sixty</u> days following the date on which the license holder is honorably separated from such service, [or

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- 213 returns to this state,] unless the license is suspended, cancelled or
- 214 revoked as provided by law earlier than such date. The license shall be
- valid only when in the immediate possession of the license holder and
- 216 the license holder has his or her discharge or separation papers in his
- 217 or her immediate possession.
- Sec. 7. Subsection (a) of section 14-44c of the general statutes is
- 219 repealed and the following is substituted in lieu thereof (Effective
- 220 October 1, 2017):
- 221 (a) The application for a commercial driver's license or commercial
- driver's instruction permit, shall include the following:
- 223 (1) The full name and current mailing and residence address of the
- 224 person;
- 225 (2) A physical description of the person, including sex, height and
- eye color;
- 227 (3) Date of birth;
- 228 (4) The applicant's Social Security number;
- 229 (5) The person's statement, under oath, that such person meets the
- requirements for qualification contained in 49 CFR 391, as amended; [,
- or does not expect to operate in interstate or foreign commerce;
- 232 (6) The person's statement, under oath, that the type of vehicle in
- 233 which the person has taken or intends to take the driving skills test is
- 234 representative of the type of motor vehicle the person operates or
- 235 intends to operate;
- 236 (7) The person's statement, under oath, that such person is not
- 237 subject to disqualification, suspension, revocation or cancellation of
- operating privileges in any state, and that he or she does not hold an
- 239 operator's license in any other state;
- 240 (8) The person's identification of all states in which such person has

- been licensed to drive any type of motor vehicle during the last ten
- years, and the person's statement, under oath that he or she does not
- 243 hold an operator's license in any other state; and
- 244 (9) The person's signature, and certification of the accuracy and 245 completeness of the application, subject to the penalties of false 246 statement under section 53a-157b. The application shall be 247 accompanied by the fee prescribed in section 14-44h.
- Sec. 8. Subsection (f) of section 14-44k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective* 250 October 1, 2017):
- 251 (f) In addition to any other penalties provided by law, a person is 252 disqualified from operating a commercial motor vehicle for a period of 253 not less than (1) sixty days if convicted of two serious traffic violations, 254 as defined in section 14-1, or (2) one hundred twenty days if convicted 255 of three serious traffic violations [, committed while operating any 256 motor vehicle] arising from separate incidents occurring within a 257 three-year period (A) while operating a commercial motor vehicle, (B) 258 while operating a noncommercial motor vehicle, provided such 259 violation resulted in a suspension, for any period of time, of such 260 person's class D license, or (C) from any combination of subparagraphs 261 (A) and (B) of this subdivision. The period of any disqualification for a 262 subsequent offense imposed under this subsection shall commence 263 immediately after the period of any other disqualification imposed on 264 such person. The disqualification periods in this subsection shall also 265 apply to convictions under the provisions of law of another state, of 266 offenses deemed by the commissioner to constitute serious traffic 267 violations, as defined in section 14-1.
- Sec. 9. Subdivision (5) of subsection (b) of section 14-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):
 - (5) The commissioner shall assess an administrative fee of [fifty] two

- 272 <u>hundred</u> dollars against any licensee for failing to provide proof of
- bond renewal or replacement on or before the date of the expiration of
- 274 the existing bond. Such fee shall be in addition to the license
- 275 suspension or revocation penalties and the civil penalties to which the
- licensee is subject pursuant to section 14-64.
- Sec. 10. Subsection (c) of section 14-58 of the general statutes is
- 278 repealed and the following is substituted in lieu thereof (Effective July
- 279 1, 2017):
- 280 (c) Registration certificates issued under the provisions of this 281 section shall not be required to be carried upon such motor vehicles 282 when upon the public highways as required under subsection (a) of 283 section 14-13, except that the licensee shall issue to each person driving 284 such motor vehicle a document indicating that such person is validly 285 entrusted with such vehicle which document shall be carried in the 286 motor vehicle. The commissioner shall determine the form and 287 contents of this document. Legible photostatic copies of such 288 registration certificates may be carried in such vehicles as proof of 289 ownership. The licensee shall furnish financial responsibility 290 satisfactory to the commissioner as defined in section 14-112, provided 291 such financial responsibility shall not be required from a licensee when 292 the commissioner finds that the licensee is of sufficient financial 293 responsibility to meet such legal liability. The commissioner may issue 294 such license upon presentation of evidence of such financial 295 responsibility satisfactory to the commissioner. The commissioner 296 shall assess an administrative fee of [fifty] two hundred dollars against 297 any licensee for failing to provide proof of policy or bond renewal or 298 replacement on or before the expiration date of the existing policy or 299 bond. Such fee shall be in addition to the license suspension or 300 revocation penalties and the civil penalties to which the licensee is 301 subject pursuant to section 14-64.
- Sec. 11. Subsection (a) of section 14-164c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2017):

- (a) (1) No person shall fail to maintain in good working order or remove, dismantle or otherwise cause to be inoperative any equipment or feature constituting an operational element of the air pollution control system or mechanism of a motor vehicle required by regulations of the Commissioner of Energy and Environmental Protection to be maintained or on the vehicle. Any such failure to maintain in good working order or removal, dismantling or causing of inoperability shall subject the owner thereof to revocation of registration for such vehicle by the Commissioner of Motor Vehicles unless all parts and equipment constituting elements of air pollution control have been made operable and in good working order within sixty days of notice by said commissioner of such violation. Any such failure shall be considered a failure to comply with the periodic inspection requirements established under subsection (c) of this section. As used in this section, "motor vehicle" has the same meaning as provided in section 14-1.
- 321 (2) The Commissioner of Motor Vehicles shall not revoke the registration of a motor vehicle pursuant to subdivision (1) of this subsection if such vehicle is subject to the consent decree approved by the United States District Court for the Northern District of California on October 25, 2016, in settlement of Case Number 15-MD-2672-CRB (JSC) entitled "In Re: Volkswagen 'Clean Diesel' Marketing, Sales Practices, and Products Liability Litigation".
- Sec. 12. Subsection (a) of section 14-171 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 330 1, 2017):
 - (a) The application for a certificate of title of a vehicle in this state shall be [made by the owner] on a form <u>prescribed by</u> the commissioner [prescribes and shall contain] <u>and contain information provided by the owner or acquired through one or more databases used by the commissioner. Such application shall include: (1) The name, residence and mail address of the owner; (2) a description of the vehicle including, so far as the following data exists, its make, model,</u>

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identification number, type of body, the number of cylinders and whether new or used; (3) the mileage reading at the time of application; (4) the date of purchase by the applicant, the name and address of the person from whom the vehicle was acquired and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements and, if a new vehicle, the application shall be accompanied by a manufacturer's or importer's certificate of origin; and (5) any further information the commissioner reasonably requires to identify the vehicle and to enable the commissioner to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle. Such application shall be accompanied by the most recent Connecticut certificate of title for such vehicle, if any, unless the owner submits a statement on a form prescribed by the commissioner, that the title is lost or destroyed or, despite reasonable efforts cannot be located or obtained from the person or firm last known to have possession of such certificate [or] of title.

- Sec. 13. Section 14-227k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):
- (a) No person whose right to operate a motor vehicle has been restricted pursuant to an order of the court under subsection (b) of section 14-227j, [or] by the Commissioner of Motor Vehicles [pursuant to subsection (i) of section 14-227a or subsection (i) of section 14-111] or by any provision of law that requires the use of an ignition interlock device, shall (1) request or solicit another person to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing such person with an operable motor vehicle, or (2) operate any motor vehicle not equipped with a functioning ignition interlock device or any motor vehicle that a court has ordered such person not to operate.
- (b) No person shall tamper with, alter or bypass the operation of an ignition interlock device for the purpose of providing an operable motor vehicle to a person whose right to operate a motor vehicle has

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- been restricted pursuant to an order of the court under subsection (b)
- of section 14-227j, [or] by the Commissioner of Motor Vehicles
- [pursuant to subsection (i) of section 14-227a or subsection (i) of section
- 374 14-111] or by any provision of law that requires the use of an ignition
- 375 <u>interlock device</u>.
- 376 (c) (1) Any person who violates any provision of subdivision (1) of
- 377 subsection (a) or subsection (b) of this section shall be guilty of a class
- 378 C misdemeanor.
- 379 (2) Any person who violates any provision of subdivision (2) of
- subsection (a) of this section shall be subject to the penalties set forth in
- 381 subsection (c) of section 14-215.
- 382 (d) Each court shall report each conviction under subsection (a) or
- 383 (b) of this section to the Commissioner of Motor Vehicles, in
- accordance with the provisions of section 14-141. The commissioner
- 385 shall suspend the motor vehicle operator's license or nonresident
- operating privilege of the person reported as convicted for a period of
- 387 one year.
- Sec. 14. Subsection (b) of section 14-275c of the general statutes is
- 389 repealed and the following is substituted in lieu thereof (Effective July
- 390 1, 2017):
- 391 (b) The commissioner shall adopt regulations, in accordance with
- 392 the provisions of chapter 54, governing (1) the inspection, registration,
- 393 operation and maintenance of motor vehicles used by any carrier to
- 394 transport students, and (2) the licensing of operators of such vehicles.
- 395 A person who has attained the age of seventy shall be allowed to hold
- 396 a license endorsement [for the purpose of operating a motor vehicle to
- 397 transport children requiring special education] to operate a student
- 398 transportation vehicle provided such person meets the minimum
- 399 physical requirements set by the commissioner and agrees to submit to
- 400 a physical examination by a medical examiner, certified in accordance
- 401 with 49 CFR 390.109, at least annually or more frequently if directed to

- do so by such medical examiner or the superintendent of the school system in which such person intends to operate such vehicle.
- Sec. 15. Subsection (b) of section 54-56p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective* 406 October 1, 2017):
- (b) This section shall not be applicable to any person (1) who, at the time of the motor vehicle violation, holds a commercial driver's license or commercial driver's instruction permit or is operating a commercial motor vehicle, as defined in section 14-1, or (2) charged with a motor vehicle violation causing serious injury or death, a motor vehicle violation classified as a felony unless good cause is shown, or a violation of section 14-227a, [or] 14-227g or 14-296aa.
- Sec. 16. Subsection (a) of section 14-280 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2017):
 - (a) (1) When a school bus is used for any purpose other than the transportation of children to and from schools or school activities, private or public camps or any other activities for which groups of children are transported, the special signals normally used when so engaged shall be left unused or disconnected.
 - (2) Any student transportation vehicle when engaged in the transportation of children to and from private or public camps or the transportation exclusively of children to activities, except school activities, may display a sign or signs, as described in subsection (b) of this section. Any motor vehicle, other than a registered school bus, not owned by a public, private or religious school, or under contract to such school, when engaged in the transportation of school children to and from school or school activities, may display a sign or signs, as described in subsection (b) of this section.
- 431 (3) Any student transportation vehicle, when engaged in the transportation of school children to and from school or school

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activities, shall display a sign or signs, as described in subsection (b) of this section, except a student transportation vehicle, when engaged in the transportation of students aged eighteen to twenty-one, inclusive, who, as part of an individualized education program, are participating in community-based transition services, may display a sign or signs, as described in subsection (b) of this section.

(4) Any portable signs, as described in subsection (b) of this section, that are permitted or required under this section may be removed or covered when the vehicle is not being used for the purposes requiring or allowing the use of such signs as specified in this section.

This act shall take effect as follows and shall amend the following			
sections:			
Section 1	October 1, 2017	14-29	
Sec. 2	from passage	14-36(c)	
Sec. 3	from passage	14-36a(h)	
Sec. 4	from passage	14-36e	
Sec. 5	July 1, 2017	14-41(b)	
Sec. 6	July 1, 2017	14-41b	
Sec. 7	October 1, 2017	14-44c(a)	
Sec. 8	October 1, 2017	14-44k(f)	
Sec. 9	July 1, 2017	14-52(b)(5)	
Sec. 10	July 1, 2017	14-58(c)	
Sec. 11	July 1, 2017	14-164c(a)	
Sec. 12	July 1, 2017	14-171(a)	
Sec. 13	July 1, 2017	14-227k	
Sec. 14	July 1, 2017	14-275c(b)	
Sec. 15	October 1, 2017	54-56p(b)	
Sec. 16	July 1, 2017	14-280(a)	

Statement of Legislative Commissioners:

In Section 2, "in another" was changed to "outside of this" for accuracy.

TRA Joint Favorable Subst.

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